

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

The specification has been editorially revised to place this application in better form.

Claims 25 and 26 have been cancelled by the present Amendment, non-elected Claims 40-58 having previously been cancelled by the Amendment dated December 26, 2002. Claims 8, 22, and 28-39 stand withdrawn from consideration. New Claims 61-73 are being added at this time. Accordingly, Claims 1-7, 9-21, 23, 24, 27, and 59-73 are pending for further consideration.

Without acceding to the outstanding rejections under 35 U.S.C. §§ 102(b) and 103(a), the claims have been extensively revised for clarity, as well as to better conform with Applicants' intent. The alleged indefiniteness of Claims 10-12 has been taken into consideration.

Each of independent Claims 1, 13, 24, 59, and 60 was rejected under § 102(b) as being anticipated by Toguchi (5,489,545). It is apparent, however, that the rejection is untenable both as to the claims as originally filed, and as currently presented. Each of the aforementioned

independent claims relates to a manufacturing method of a semiconductor integrated circuit device having a plurality of first MISFETs in a first region of a semiconductor substrate and a plurality of second MISFETs in a second region of the semiconductor substrate. By contrast, Toguchi relates to a method of manufacturing an integrated circuit device having a MOS transistor and a charge coupled device (CCD). The rejection equates the CCD forming region with the claimed second MISFET forming region. However, Toguchi's CCD structure clearly is not a MISFET.

Accordingly, each of the aforementioned independent claims distinguishes patentably from Toguchi, and the rejection on Toguchi should therefore be withdrawn. The rejections of dependent claims are moot in view of the deficiency of Toguchi discussed above.

Newly presented Claims 61-73 are intended to provide more comprehensive protection for the invention and are also believed to be patentable over the prior art.

In view of the amendments and remarks presented herein, Applicants respectfully solicit an early Notice of Allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§

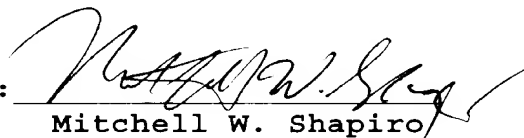
1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

MWS:lmb

Miles & Stockbridge P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102
(703) 903-9000

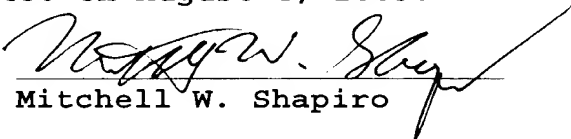
By:


Mitchell W. Shapiro
Reg. No. 31,568

August 4, 2003

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Mitchell W. Shapiro